

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

UNITED THERAPEUTICS)	
CORPORATION,)	
)	
Plaintiff,)	Civil Nos. 12-1617 (PGS)(LHG)
)	13-316 (PGS)(LHG)
v.)	
)	
SANDOZ INC., et al.,)	ORDER
)	
Defendants.)	

WHEREAS, Plaintiff United Therapeutics Corporation (“UTC”) has asserted in Counts I and II of its complaints in the above-captioned cases that Defendant Sandoz Inc. (“Sandoz”) will infringe, induce infringement of, and/or contributorily infringe U.S. Patent No. 5,153,222 (“the ‘222 patent”) through the manufacture, use, sale, offer for sale, and/or importation of a generic treprostinil product; and

WHEREAS, Sandoz has asserted in Counts I and II of its counterclaims in the above-captioned cases that the claims of the ‘222 patent would not be infringed by Sandoz’s manufacture, use, sale, offer for sale, and/or importation of a generic treprostinil product, and that the claims of the ‘222 patent are invalid; and

WHEREAS, on April 9, 2014 Sandoz certified to the United States Food and Drug Administration (“FDA”) under 21 U.S.C. § 355(j)(2)(A)(vii)(III) that it will

not launch any generic treprostinil product prior to the expiration of the '222 patent; and

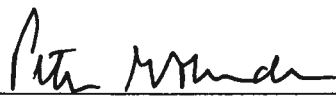
WHEREAS, having considered the briefing and arguments made by the parties; it is hereby

ORDERED that Counts I and II of UTC's complaints and Counts I and II of Sandoz's counterclaims in the above-captioned cases are hereby **DISMISSED WITHOUT PREJUDICE**; and it is further

ORDERED that Sandoz shall provide reasonable notice to UTC of any change in its certification to the FDA concerning the '222 patent; and it is further

ORDERED that the Court shall retain jurisdiction over the parties with respect to any issue arising out of a change in Sandoz's certification to the FDA concerning the '222 patent until November 1, 2014.

Dated: June 2, 2014



The Hon. Peter G. Sheridan, U.S.D.J.